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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Robert M. Lundberg

Serial No.: 08/904,299

Filed: July 31, 1997

For: APPARATUS AND METHODS OF
GENERATING ELECTRICAL
POWER FROM A RESERVOIR

Attorney Docket No. 101AB

Group Art Unit: 3747

Examiner: N. Kamen

I hereby certify that this correspondence is being sent via facsimile to Examiner Noah Kamen and deposited with the U.S. Postal Service as U.S. First Class Mail before the last scheduled pickup, postage prepaid, addressed to Box DAC, Commissioner for Patents, Washington, D.C. on February 19, 2002.

Jodi Baker
Jodi Baker

Commissioner for Patents
BOX: DAC
Washington, D.C. 20231

RECEIVED

MAR 13 2002

OFFICE OF PETITIONS

Attention: Office of Petitions

**PETITION FOR REINSTATEMENT OF A PATENT APPLICATION
UNINTENTIONALLY ABANDONED UNDER 37 CFR 1.135(a)**

SIR:

Applicant, through his attorney, hereby petitions for reinstatement of the above-identified patent application which, apparently, required a response to a final office action, dated July 27, 2001, which was apparently mailed to an incorrect address of Applicant's attorney.

On February 19, 2002, Examiner Kamen telephoned Applicant's attorney and inquired if it was Applicant's intention to abandon the above-identified application by failing to respond to a final rejection, which allegedly was mailed to Applicant's attorney on July 27, 2001. During the telephone conversation with the Examiner, Applicant's attorney reviewed the file and indicated to the Examiner that Applicant's attorney never received a final office action, in the

above-identified application, from the United States Patent Office. The last paper that appears in Applicant's file is a Status Inquiry, copy enclosed as Exhibit A, which was mailed to the United States Patent Office via United States Postal Service First Class Mail on December 17, 2001, inquiring as to the status of the application because Applicant had not received any action by the Patent Office to Applicant's amendment filed on July 13, 2001. Additionally, I am forwarding a copy of the post card (Exhibit B) which was enclosed with the status inquiry, indicating that the Patent and Trademark Office received our status inquiry letter on January 18, 2002, over one month after the mailing of the Status Inquiry.

During the conversation today with Examiner Kamen, Examiner Kamen indicated that the final rejection was mailed to Applicant's attorney at 300 South Wacker Drive, Suite 300. Because Applicant's attorney is located in Suite 3000, this may be the reason why Applicant did not receive the final office action from the Examiner.

If there is any petition fee that is necessary to revive this application, the United States Patent Office is hereby authorized to charge Deposit Account No. 05-1060 for such fee.

Furthermore, in my conversation this morning with Examiner Kamen, he indicated that there would be no charge for reinstating this patent application if it can be established that the unintentional abandonment was not the fault of Applicant.

A duplicate copy of this petition is attached, together with copies of our Status Inquiry letter and enclosed post card (Exhibits A and B) indicating receipt by the U.S. Patent Office.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made

are punishable by fine or imprisonment or both, under §1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon or any patent to which this verified statement is directed.

The granting of this petition is respectfully requested.

Respectfully submitted,

 Paul L. Brown 27,184

Paul L. Brown
Registration No. 27,184
EMRICH & DITHMAR
300 South Wacker Drive
Suite 3000
Chicago, IL 60606
(312) 663-9800 Telephone
(312) 663-9822 Facsimile

February 19, 2002



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

In re application of: Robert M. Lundberg

Serial No.: 08/904,299

Filed: July 31, 1997

Art Unit: 3747

Examiner: N. Kamen

For: APPARATUS AND METHODS OF GENERATING
ELECTRICAL POWER FROM A RESERVOIR

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OFFICE OF PETITIONS

BOX: STATUS NO FEE
U.S. Patent and Trademark Office
Assistant Commissioner for Patents
Washington, D.C. 20231

STATUS INQUIRY

Sir:

In the periodic review of our docket and above-identified patent application, we note there has been no action in the above-identified application since we filed an amendment on July 13, 2001.

Please advise the undersigned as to the present status of this patent application.

This paper is being submitted in duplicate.

Respectfully submitted,

EMRICH & DITHMAR
Attorneys for Applicant
300 South Wacker Drive Suite 3000
Chicago, IL 60606
(312) 663-9800

December 17, 2001

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class mail postage prepaid, before the last scheduled pickup, addressed to Assistant Commissioner for Patents, Washington, D.C. on December 17, 2001.

Jodi Baker
Jodi Baker

By:

Paul L. Brown 27, 184
Paul L. Brown





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JAN 29 2002

EMRICH & DITHMAR

RECEIVED

MAR 13 2002

OFFICE OF PETITIONS

PLB mailed via U.S. First Class Mail on 12/17/01.

Chicago, Illinois

The stamp of the Patent and Trademark Office hereon may be taken as an acknowledgement of the receipt on the date stamped of
Status inquiry letter (2 copies) and a
certificate of mailing.

Serial No. 08/904,299.....

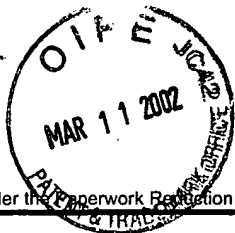
Client..... Robert M. Lundberg

Case No. 101AB, Lundberg.....



EXHIBIT

B



PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	08/904,299
Filing Date	07/31/1997
First Named Inventor	Robert M. Lundberg
Group Art Unit	3747
Examiner Name	Noah Kamen
Attorney Docket Number	101AB

Total Number of Pages in This Submission 10

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input checked="" type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Certificate of Mailing, Exhibits A and B.
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	These documents were also sent via facsimile transmission to Examiner Kamen on 2/19/02.	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Paul L. Brown, Esq. EMRICH & DITHMAR		
Signature	<i>Paul L. Brown</i> 27,184		
Date	February 19, 2002		

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date:

2/19/02

Typed or printed name	Jodi Baker		
Signature	<i>Jodi Baker</i>	Date	2-19-02

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.